

1 Patti Ann Amoy Chaplin  
2 c/o  
3 Jacek W. Lentz, Esq.  
4 THE LENTZ LAW FIRM, P.C.  
5 1200 Wilshire Blvd, Suite 406  
6 Los Angeles, CA 90017  
7 Telephone: (213) 250 - 9200  
8 Facsimile: (213) 250 - 9161  
9 Email: jwl@lentzlawfirm.com

10 Claimant In Pro Per

11 FILED  
12 U.S. DISTRICT COURT  
13 DISTRICT OF MARYLAND

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16 CLERK'S OFFICE  
17 AT FORFEITURE  
18 DEPUTY

19 UNITED STATES DISTRICT COURT  
20 DISTRICT OF MARYLAND

21 UNITED STATES OF AMERICA,

22 Case Action No.8:18-CV-03565-CBD

23 Plaintiff,

24 v.

25 **VERIFIED ANSWER TO COMPLAINT IN  
26 REM AND DEMAND FOR TRIAL BY JURY  
27 OF CLAIMANT PATTI ANN AMOY  
28 CHAPLIN**

29 \$ 213,573 IN U.S. CURRENCY,

30 Defendant(s).

31 TO THE HONORABLE COURT AND THE OFFICE OF THE UNITED STATES ATTORNEY  
32 FOR THE DISTRICT OF MARYLAND:

33 CLAIMANT PATTI ANN AMOY CHAPLIN hereby answers the Plaintiff's Complaint  
34 For Forfeiture In Rem (the "Complaint") as follows:

35 Claimant reserves the right to supplement and amend this Answer as necessary  
36 as matters develop through discovery of certain facts and circumstances regarding the  
37 Complaint and specifically reserves his right to file any applicable counterclaims.

38 Please take notice that Claimant demands trial by jury of the issues and defenses  
39 raised by this claim and answer.

1. Claimant admits allegations contained in Paragraph 1.

2. Claimant admits allegations contained in Paragraph 2.

3. Claimant admits that Defendant Currency was seized from the residence of Anthony Williams and Patti Ann Amoy Chaplin on or about June 6, 2018. Claimant knowledge or information sufficient to form a belief as to the truth of the information contained in Paragraph 3 that the search and seizure took place pursuant to a search warrant and, therefore, generally and specifically denies the allegation that the search and seizure took place pursuant to a search warrant.

4. The Claimant lacks knowledge or information sufficient to form a belief as truth of the allegations contained in Paragraph 4 of the Complaint and, therefore, fully and specifically denies the allegations in Paragraph 4.

5. Claimant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 5 of the Complaint and, therefore, generally and specifically denies the allegations in Paragraph 5.

6. Claimant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 6 of the Complaint and, therefore, generally and specifically denies the allegations in Paragraph 6.

7. Claimant denies the allegations in Paragraph 7.

8. Claimant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in the affidavit referred to in Paragraph 8 of the Complaint and, therefore, generally and specifically denies the allegations in the affidavit referred to in Paragraph 8 of the Complaint and Paragraph 8 of the Complaint.

## AFFIRMATIVE DEFENSES

9. Claimant repeats the denials and affirmative allegations set forth in paragraphs 1 through 8 of this Answer, as though fully set forth here. In addition,

**Claimant raises the following numbered defenses to the Complaint.**

## **FIRST DEFENSE**

9. The Complaint, and each purported claim for relief, fails to state facts sufficient to constitute claim(s) upon which relief can be granted to defeat Claimant's claim to subject properties.

## SECOND DEFENSE

10. The Plaintiff lacks probable cause for belief that a substantial connection exists between the properties sought to be forfeited and any unlawful conduct.

### THIRD DEFENSE

11. This Court lacks jurisdiction over the Defendant properties or this action, and venue in any forum, is improper and inconvenient.

#### **FOURTH DEFENSE**

1. The evidence seized during the search must be suppressed as the fruit of an unreasonable search and seizure under the Fourth Amendment to the United States Constitution and *One 1958 Plymouth Sedan v. Commonwealth of Pennsylvania, 380 U.S. 693 (1965)*.

## **FIFTH DEFENSE**

12. The forfeiture of the defendant properties, in addition to any criminal

1 punishment, fines and assets that may be forfeited would be grossly disproportionate  
2 punishment in violation of the Eighth Amendment's Excessive Fines Clause, and *Austin v.*  
3 *United States*, 509 U.S. 602 (1993).

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5 **SIXTH DEFENSE**

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7 13. Plaintiff has failed to comply with several statutory notice requirements,  
8 which, among other legal consequences, make the Complaint void and null.

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10 **SEVENTH DEFENSE**

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12 14. Without waiving any defense asserted above, Claimant further asserts that  
13 Defendant properties are not subject to forfeiture on the basis that any act or omission,  
14 if any, on the part of any other individual that would potentially give rise to forfeiture of  
15 the Defendant property, was committed or omitted without the knowledge or consent of  
16 the Claimant.

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18 WHEREFORE, Claimant prays that the Honorable Court will:

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20 1. Dismiss the Complaint and enter judgment on behalf of the Claimant and  
21 that Plaintiff take nothing by reason of this suit;

22 2. Deny issuance of a certificate of reasonable cause pursuant to 28 U.S.C.  
23 Section 2465 and award costs and attorney's fees to the Claimant; and

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1           3. Provide such other and further relief, both legal and equitable, as the Court  
2 deems proper and just.

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4 DATED: January 31, 2019  
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Respectfully submitted,

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By: \_\_\_\_\_  
Patti Ann Amoy Chaplin  
Claimant In Pro Per

**VERIFICATION**

Patti Ann Amoy Chaplin  
I, [REDACTED], do hereby verify that I have read the foregoing answer, and  
declare under penalty of perjury that the allegations therein are true and correct.

Executed this 21st day of January [REDACTED] 2019.



PATTI ANN AMOY CHAPLIN

## PROOF OF SERVICE

I, Gina Garfias, declare as follows:

I am employed in the City of Los Angeles, California. I am over the age of eighteen years, and not a party to the within case; my business address is The Lentz Law Firm, P.C., 1200 Wilshire Blvd, Suite 406, Los Angeles, California 90017. On Jan. 29, 2019, I served the within:

**VERIFIED ANSWER OF CLAIMANT PATTI ANN AMOY CHAPLIN**

in the U.S. District Court Case No. 8:18-CV-03565-CBD, by sending a true copy thereof, as indicated and addressed as follows:

**Mr. Ray McKenzie  
United States Attorney's Office  
6500 Cherrywood Lane  
Greenbelt, MD 20770  
[Fax: ]**

**(BY MAIL)** By placing such document in an envelope, with postage thereon fully prepaid for first class mail, for collection and mailing at the office of The Lentz Law Firm, P.C., Los Angeles, California following ordinary business practice. I am readily familiar with the practice of The Lentz Law Firm, P.C., for collection and processing of correspondence, said practice being that in the ordinary course of business, correspondence is deposited in the United States Postal Service the same day as it is placed for collection.

**(BY PERSONAL SERVICE)** By causing such document to be delivered by hand with instructions that it be personally served.

**(BY FACSIMILE)** By placing such document for collection and transmission at the office of The Lentz Law Firm, P.C., Los Angeles, California, to the facsimile numbers listed above. I am readily familiar with the practice of The Lentz Law Firm, P.C., for collection and processing of facsimiles, said practice being that in the ordinary course of business, facsimiles are transmitted immediately after being placed for processing.

I declare under penalty of perjury under the laws of the State of Maryland that the foregoing is true and correct and that this declaration was executed on January 29, 2019, at Los Angeles, California.

Gina Garfias